

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF DELAWARE**

ASTELLAS US LLC, ASTELLAS  
PHARMA US, INC. and GILEAD  
SCIENCES, INC.,

Plaintiffs,

v.

HOSPIRA, INC,

Defendant.

C.A. No. 18-1675 (CFC)  
(Consolidated)

**INJUNCTION ORDER**

The Court having considered Plaintiffs’ Rule 62(d) Motion to Enjoin Hospira from Launching Its Generic Product While Appeal is Pending (“Motion”), the opposition brief filed by Defendant Hospira, Inc. (“Hospira”), and Plaintiffs’ reply in support of their Motion, finds that grounds do not exist to grant the relief sought by Plaintiffs in their Motion:

IT IS HEREBY ORDERED that Plaintiffs’ motion is GRANTED-IN-PART and DENIED-IN-PART:

1. The relief requested by Plaintiffs in their Motion is denied.
2. Nevertheless, to allow Plaintiffs time to file a motion with the U.S. Court of Appeals for the Federal Circuit seeking preliminary injunctive relief under Federal Rule of Appellate Procedure 8 (and Federal Circuit Rule 8), the Court exercises its discretion to temporarily enjoin Hospira, conditioned on paragraph 3

below, from commercially marketing its regadenoson ANDA product until October 5, 2022.

3. The injunction entered in paragraph 2 shall not be effective unless Plaintiffs post a bond in the amount of \$9.5 million by September 30, 2022.

SO ORDERED this Twenty-second day of September 2022.

  
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Chief Judge, United States District Court